EXHIBIT 6

1

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MASSACHUSETTS

THE COMMONWEALTH OF MASSACHUSETTS,

        Plaintiff,

vs.   CIVIL ACTION NO.

MYLAN LABORATORIES INC.;   03-CV-11865-PBS

BARR LABORATORIES, INC.;

DURAMED PHARMACEUTICALS, INC.;

IVAX CORPORATION; WARRICK

PHARMACEUTICALS CORPORATION;

WATSON PHARMACEUTICALS, INC.;

SCHEIN PHARMACEUTICALS, INC.;

TEVA PHARMACEUTICALS USA, INC.;

PAR PHARMACEUTICAL, INC.;

DEY, INC.; ETHEX CORPORATION;

PUREPAC PHARMACEUTICAL CO.; and

ROXANE LABORATORIES,

        Defendants.

_____/

VIDEOTAPED DEPOSITION OF PATRICIA KAY MORGAN

Taken on Behalf of the Defendant

Morgan, Patricia Kay   November 30, 2007

Tampa, FL

33

1   Q.   During the period when you were employed

2   by First DataBank, the manufacturer did not decide

3   whether First DataBank used the suggested AWP as

4   its Blue Book AWP, correct?

5   A.   That's correct.

6   Q.   During the time period when you were

7   employed by First DataBank, manufacturers did not

8   control the methodology used by First DataBank in

9   populating its Blue Book AWP fields, correct?

10   A.   That's correct.

11   Q.   During the time period you were employed

12 by First DataBank, manufacturers did not set the

13 AWPs listed in First DataBank's Blue Book AWP

14 fields, correct?

15   MR. MULLIN: Objection; argumentative.

16   THE WITNESS: That's correct.

17 BY MR. KATZ:

18   Q.   First DataBank has not defined its AWPs

19 as transaction prices, correct?

20   A.   That's correct.

21   Q.   First DataBank has not defined the

22 suggested wholesale price or SWP field as a field

Morgan, Patricia Kay   November 30, 2007
                            Tampa, FL

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1   Q.   -- that the terms of the algorithm were

2   --

3   A.   -- related to terms.

4   Q.   -- disclosed.

5   A.   But I know I have repeated what the terms

6   are, and watched people's eyes roll back.

7   Q.   Well, we can take this up after the

8   deposition is over.

9   A.   I'll be glad to give it to you -- I'll

10   give it to you now if you'd like.

11   Q.   Yes. What's the terms of the algorithm?

12   A.   The computer determines the most common

13   package size for the products that are in a GCN.

14   And that is GCN based, not GCN SEQNO based. It

15   then determines the mean of the AWP for those most

16   common package size. It does a standard deviation

17   of those -- that mean, and excludes any product

18   that is more than one standard deviation above that

19   mean or more than one standard deviation below that

20   mean.

21   It then recalculates the mean once again for

22   those remaining products, and it then takes one